

US DISTRICT COURT
COUNTY OF SOUTHERN DISTRICT OF NY

Your File#

Our File# 0113/099/7

ATTORNEY Lazer, Aptheker

Kimberley A. Carpenter, et al

Plaintiff(s)

FILED:

Index No. 07-CIV-5689

Marie Pupke, et al

against

Defendant(s)

AFFIDAVIT OF
SERVICE OF

Subpoena & Letter

STATE OF NEW YORK, COUNTY OF SUFFOLK ~~TH~~ DUTCHESS

The Undersigned being duly sworn, deposes and says: that deponent is not a party
to this action, is over 18 years of age and resides at State of New York

That on 10/29/07 at 2:55 PM at 3156 Route 9W, Saugerties, NY 12477
deponent served the within Subpoena & Letter, on Michael Catalinotto, Esq.

defendant therein named. ☒ With Index No. and date of filing endorsed thereon.

INDIVIDUAL ☒ by delivering a true copy to said defendants personally, deponent knew the person so served to be the person described as said
defendant therein ☒ with a witness fee of \$77.35

CORPORATION ☐ a corporation, by delivering thereat a true copy of each to
personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and
knew said individual to be ☐ with a witness fee of

SUITABLE AGE PERSON ☒ by delivering thereat a true copy of each to PAT S. TROH a person of suitable
age and discretion. Said premises is defendant's actual place of business-dwelling house-usual place of abode-within the state.
☐ with a witness fee of \$77.35

AFFIXING TO DOOR, ETC. ☐ by affixing a true copy of each to the door of said premises, which is defendant's actual place of business-dwelling house-usual
place of abode-within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and
discretion, thereat, having called there. ☐ with a witness fee of

MAILING TO BUSINESS Deponent enclosed a copy of same in a first class postpaid envelope properly addressed to defendant at defendant's actual
place of business, at 3156 Route 9W SAUGERTIES, NY 12477
in an official depository under the exclusive care
3 or 4 ☒ and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and
did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or
concerned an action against the defendant.

MAILING TO RESIDENCE Deponent enclosed a copy of same in a postpaid sealed wrapper properly addressed to defendant at defendant's last known
residence, at
3 or 4 ☐ in-a post office-official depository under exclusive care and custody of the United States Postal Service within New York State.
☐ A first class mailing and a certified mailing# were effected
☐ From a New York City Post Office.

DESCRIPTION Deponent describes the individual as follows:

USE WITH	<input type="checkbox"/> Male	<input checked="" type="checkbox"/> Caucasian	<input type="checkbox"/> Black Hair	<input type="checkbox"/> 14-20 Yrs	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
1-2-3	<input checked="" type="checkbox"/> Female	<input type="checkbox"/> Black	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> 21-35 Yrs	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
<input checked="" type="checkbox"/>		<input type="checkbox"/> Oriental	<input checked="" type="checkbox"/> Blond Hair	<input type="checkbox"/> 36-50 Yrs	<input checked="" type="checkbox"/> 5'4"-5'8"	<input checked="" type="checkbox"/> 131-160 Lbs.
		<input type="checkbox"/> Hispanic	<input type="checkbox"/> Gray Hair	<input checked="" type="checkbox"/> 51-65 Yrs	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
		<input type="checkbox"/> Indian	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Over 65 Yrs	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features: GLASSES

Positive identification was made from photo supplied by attorney and attached.

MILITARY SERVICE ☒ I asked the person spoken to whether defendant was in active military service of the United States or the state of New York in any
capacity whatever and received a negative reply. Defendant wore ordinary civilian clothes and no military uniform. The source of my
information and the grounds of my belief are the conversations and observations above narrated.

Upon information and belief I aver that the defendant is not in the military service of New York or the United States as
that term is defined in either the State or the Federal statutes.

Sworn to before me on: November 2, 2007
JENNIFER MILLE
NOTARY PUBLIC, State of New York
No. 01M16099248
Qualified in Dutchess County
Commission Expires Sept. 29, 2011

RUSH
Rush Process Service, Inc.
P.O. Box 715 * Commack, NY 11725

Thomas Harding

THOMAS HARDING
License No.